



Docket No.: M4065.0227/P227-A  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Tongbi Jiang et al.

Application No.: 09/998,165

Confirmation No.: 7636

Filed: December 3, 2001

Art Unit: 2829

For: METHOD AND APPARATUS FOR  
REDUCING SUBSTRATE BIAS VOLTAGE  
DROP

Examiner: Pert, Evan T.

**ELECTION WITH TRAVERSE**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the election of species requirement set forth in the Office Action mailed January 14, 2005 (Paper No. 0105), Applicants hereby provisionally elect the species corresponding to "Embodiment 1 – conductive layer is a curable conductive paste" (i.e., claims 43-48) and generic claims 31-32, 42, and 62-65 for continued examination.

The provisional election is made with traverse. The Commissioner may require restriction if two or more independent and distinct inventions are claimed in a single application (37 CFR 1.142(a)). M.P.E.P. § 803, however, directs as follows (emphasis added): "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

The directive should be followed by the examiner in this case. The Examiner has not stated any factual basis for a finding that examination of all pending claims would constitute a "serious burden." The embodiments of the invention are closely related and the Examiner has not stated that additional fields of search would be required if all claims were to be examined. The total number of claims pending in the application is reasonable.

Further, as noted in the Office Action, upon allowance of a generic claim, applicants may be entitled to have additional claims allowed.

Dated: January 26, 2005

Respectfully submitted,

By 

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